

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Criminal Action
	)	No. 13-10200-GAO
	)	
DZHOKHAR A. TSARNAEV, also	)	
known as Jahar Tsarni,	)	
	)	
Defendant.	)	
	)	

BEFORE THE HONORABLE GEORGE A. O'TOOLE, JR.  
UNITED STATES DISTRICT JUDGE

**JURY TRIAL - DAY FORTY-FIVE**  
**REDACTED SIDEBAR CONFERENCE**

John J. Moakley United States Courthouse  
Courtroom No. 9  
One Courthouse Way  
Boston, Massachusetts 02210  
Wednesday, April 8, 2015  
9:30 a.m.

Marcia G. Patrisso, RMR, CRR  
Official Court Reporter  
John J. Moakley U.S. Courthouse  
One Courthouse Way, Room 3510  
Boston, Massachusetts 02210  
(617) 737-8728

Mechanical Steno - Computer-Aided Transcript

## 1 APPEARANCES:

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14 On Behalf of the Government

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On Behalf of the Defendant

P R O C E E D I N G S

\* \* \*

(Discussion at sidebar and out of the hearing of the jury:)

MS. CONRAD: I heard the government instruct as -- appropriately as to they must find the scope and the duration.

THE COURT: You mean me. You said the government.

MS. CONRAD: Correct. Sorry. I meant the Court.

However -- and the Court also reminded them what was charged in the indictment, but what the Court didn't say, which we had requested and I thought the Court was going to do, but is somewhat incorporated, but I can't find it right now in the original instructions, is the government must prove the conspiracy charged in the indictment. So it's not sufficient if they find some other conspiracy of shorter scope or shorter duration where the government has charged a more overarching conspiracy, that's not sufficient to support a conviction.

THE COURT: Well, I'm not sure that's entirely accurate. I think the answer [sic] is sufficient.

MR. WEINREB: And that would also be answered --

THE COURT: I'll leave it as is. Your objection is noted.

MS. CONRAD: Thank you.

(Sidebar concluded.)

\* \* \*

## C E R T I F I C A T E

I, Marcia G. Patrisso, RMR, CRR, Official Reporter of the United States District Court, do hereby certify that the foregoing transcript constitutes, to the best of my skill and ability, a true and accurate transcription of my stenotype notes taken in the matter of Criminal Action No. 13-10200-GAO, United States of America v. Dzhokhar A. Tsarnaev.

/s/ Marcia G. Patrisso  
MARCIA G. PATRISSE, RMR, CRR  
Official Court Reporter

Date: 5/10/16